



House of Representatives

General Assembly

File No. 334

February Session, 2000

Substitute House Bill No. 5892

House of Representatives, March 30, 2000

The Committee on Government Administration and Elections reported through REP. KNOPP of the 137th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

An Act Concerning The Conveyance Of Certain Parcels Of State Land.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 5 of special act 94-16 is amended to read as
2 follows:

3 (a) Notwithstanding any provision of the general statutes to the
4 contrary, the commissioner of transportation shall convey a parcel of
5 land located in the town of Old Saybrook, consisting of 0.5 acres, plus
6 or minus, along with any buildings thereon, either temporary or
7 permanent, which are owned by the state, to the [Tradewinds
8 Education Network, Inc.] Maritime Education Network, Inc., subject to
9 the approval of the state properties review board and at a cost of one
10 dollar. [, at such time that the department of transportation completes
11 its use of the property as a demolition supervision and staging site
12 associated with demolition of the old Baldwin Bridge carrying I-95

13 over the Connecticut River. Such conveyance shall be subject to any
14 other agreements, in force at the time of conveyance, between
15 Tradewinds Education Network, Inc. and the department of
16 transportation.] Said parcel of land is described as follows: The parcel
17 of land which is located south of Interstate 95, west of Ferry Road,
18 north of properties now or formerly of John S. Censki and now or
19 formerly of Albert D. Lizzi, and south of the Interstate 95 nonaccess
20 highway line. The department of transportation shall locate the
21 nonaccess highway line as far to the north as possible in order to
22 maximize the size of the parcel to be conveyed, consistent with the
23 needs of the department of transportation to perform maintenance on
24 the nonaccess line fence and the drainage swale at the toe of the bridge
25 approach embankment.

26 (b) The [Tradewinds Education Network, Inc.] Maritime Education
27 Network, Inc. shall use said parcel of land for [a school] programming
28 dedicated to marine and maritime [educational programs] education.
29 If said parcel is not used for said purposes, it shall revert to the state of
30 Connecticut.

31 (c) The state properties review board shall complete its review of the
32 conveyance of said parcel of land not later than thirty days after it
33 receives a proposed agreement from the department of transportation.
34 The land shall remain under the care and control of said department
35 until a conveyance is made in accordance with the provisions of this
36 section. The state treasurer shall execute and deliver any deed or
37 instrument necessary for a conveyance under this section, which shall
38 include provisions to carry out the purposes of subsection (b) of this
39 section, and the commissioner of transportation shall have the sole
40 responsibility for all other incidents of such conveyance.

41 Sec. 2. Section 5 of public act 95-127, as amended by special act 98-1,
42 is amended to read as follows:

43 (a) As used in this section, "person" means a natural person,

44 partnership, corporation, association or society and "commissioner"
45 means the commissioner of environmental protection.

46 (b) Notwithstanding any provision of the general statutes to the
47 contrary, the commissioner of environmental protection shall convey to
48 [a person meeting the requirements as set forth in subsection (c) of this
49 section, by any means and for such consideration as he deems
50 appropriate,] the Stratford Festival Theater, Inc., at a cost equal to the
51 administrative costs of making such conveyance and subject to the
52 approval of the State Properties Review Board, four parcels of land, and
53 any improvements thereto, located in the town of Stratford and
54 collectively known as the Shakespeare Theater. [The commissioner shall
55 designate a person to whom said parcels shall be conveyed on the basis
56 of the financial ability of the persons applying for such designation to
57 meet the requirements set forth in subsection (c) of this section.] The
58 commissioner may authorize the [person designated] Stratford Festival
59 Theater, Inc., prior to closing, to have such access and control of the
60 property as the commissioner deems appropriate, including undertaking
61 renovation and theater performances. Any such authorization shall
62 require that, before accessing or assuming control of the land,
63 improvements or property, [said designated person] the Stratford
64 Festival Theater, Inc. shall (1) deliver to the commissioner a policy or
65 policies of insurance determined by the commissioner to protect the state
66 of Connecticut against any suit, claim, injury, damage, loss,
67 compensation, judgment, litigation or other expense, including attorneys'
68 fees, or other fees incurred as a result of, or arising out of, any activity of
69 [said designated person] the Stratford Festival Theater, Inc. which is
70 associated with or regarding the land, improvements or property and (2)
71 hold harmless, defend and indemnify the state of Connecticut from any
72 and all liabilities, including, but not limited to, any suit, claim, injury,
73 damage, loss, compensation, judgment, litigation or other expense,
74 including attorneys' fees or other fees, which the state of Connecticut
75 may suffer or incur as a result of, or arising out of, or alleged to have
76 resulted from or arisen out of, any activity of [said designated person]

77 the Stratford Festival Theater, Inc. which is associated with or regarding
78 [said designated person's] access to or control of the land, improvements
79 or property by the Stratford Festival Theater, Inc. Said conveyance may
80 include any personal property associated with the theater. Said parcels
81 are more particularly bounded and described as follows:

82

83 FIRST PARCEL: Being the subject parcel of a warranty deed from
84 Citytrust to the State of Connecticut, dated July 14, 1983, recorded at
85 Volume 583, Page 244 of the Stratford Land Records and described in
86 said deed as follows:

87

88 Beginning at a pipe in a concrete bound; said pipe is in the southerly
89 line of Stratford Avenue, and is the northwest corner of property now or
90 formerly Moss.

91 Thence S 10 degrees-36'-02" W 132.38 feet to an iron pipe.

92 Thence S 83 degrees-49'-43" E 66.41 feet to an iron pin at land now or
93 formerly Riggott.

94 The last two courses are along land now or formerly Moss.

95 Thence S 02 degrees-37'-08" W 71.60 feet to an iron pin.

96 Thence S 82 degrees-02'-43" E 60.00 feet to an iron pin.

97 Thence continuing S 82 degrees-02'-43" E 32 feet more or less to a
98 point at the edge of Selby's Pond.

99 The last three courses are along land of Riggott.

100

101 Thence running southerly, westerly and northwesterly along the edge

102 of Selby's Pond, by 485 feet more or less to a point at land now or
103 formerly Davenport.

104 Thence running S 56 degrees-08'-53" E 3 feet more or less to an iron
105 pin.

106

107 Thence continuing S 56 degrees-08'-53" E 140.00 feet to an iron pin.

108 Thence S 50 degrees-01'-54" E 13.29 feet to a point.

109 Thence S 45 degrees-01'-09" E 50.68 feet to a point.

110 Thence S 40 degrees-22'-43" E 47.74 feet to a point.

111 Thence S 37 degrees-43'-02" E 22.11 feet to a point.

112 Thence S 37 degrees-15'-45" E 71.56 feet to an iron pin set in the
113 westerly line of Shore Road.

114 The last seven courses are along land now or formerly Davenport.

115

116 Thence S 58 degrees-42'-39" W 75.49 feet to an iron pin.

117 Thence S 54 degrees-13'-11" W 103.50 feet to an iron pipe.

118 Thence S 44 degrees-09'-43" W 570.03 feet to a point.

119 Thence S 39 degrees-13'-43" W 166.40 feet to an iron pin.

120 Thence running southwesterly by a curve, having a radius of 65.00
121 feet, a distance of 69.66 feet to an iron pin.

122 Thence N 77 degrees-59'-18" W 141.53 feet to a point at land now or
123 formerly Knapp. Said point is the intersection of the northerly face of a
124 stone headwall and the easterly face of a stone retaining wall which is

- 125 located on the westerly side of a drainage ditch.
- 126 The last seven courses are along Shore Road.
- 127
- 128 Thence N 11 degrees-50'-00" E 31.05 feet to a point on the easterly face
129 of a stone retaining wall.
- 130 Thence N 20 degrees-45'-34" E 104.37 feet to an iron pin.
- 131 Thence N 79 degrees-01'-22" W 97.00 feet to a point.
- 132 The last three courses are along land now or formerly Knapp.
- 133 Thence N 12 degrees-56'-17" E 160.88 feet to an iron pin at land now or
134 formerly Rosati, Trustee.
- 135 The last mentioned course is along land now or formerly Fahy.
- 136
- 137 Thence S 76 degrees-07'-43" E 237.67 feet to a PK nail.
- 138 Thence N 14 degrees-43'-17" E 325.00 feet to an iron pin.
- 139 Thence N 76 degrees-07'-43" W 256.29 feet to a point at land now or
140 formerly Nizzardo.
- 141 The last three courses are along land now or formerly Rosati, Trustee.
- 142
- 143 Thence N 14 degrees-30'-23" E 253.34 feet to a point.
- 144 The last course is along land now or formerly Nizzardo and land now
145 or formerly Deakins.
- 146

147 Thence N 73 degrees-30'-20" W 243.84 feet to a point in the easterly
148 line of Elm Street.

149 The last course is along land now or formerly Deakins.

150

151 Thence N 13 degrees-53'-15" E along said easterly line of Elm Street, a
152 distance of 335.91 feet to a point at land now or formerly Ballaro.

153 Thence S 77 degrees-56'-52" E along land now or formerly Ballaro, a
154 distance of 96.50 feet to a point at land now or formerly Nelson.

155 Thence S 0 degrees-43'-49" E 25.20 feet to a point.

156 Thence S 79 degrees-20'-24" E 64.10 feet to an iron pin.

157 Thence N 07 degrees-42'-15" E 119.95 feet to an iron pin set in the
158 southerly line of Stratford Avenue.

159 The last three courses are along land now or formerly Nelson.

160

161 Thence S 86 degrees-35'-34" E along said southerly line of Stratford
162 Avenue, a distance of 104.94 feet to the point of beginning.

163

164 SECOND PARCEL:

165 Being the first of two subject parcels in a warranty deed from Thomas
166 J. Rosati, Trustee, to the State of Connecticut, dated June 9, 1988, and
167 recorded in Volume 697, Page 979 of the Stratford Land records, and
168 described in said deed as follows:

169

170 Beginning at a point in the southerly line of land now or formerly of
171 Deakins and Beach, which point marks the northeasterly corner of the
172 parcel herein described, said point being S 80 degrees 51' 00" E 217.00 feet
173 from an iron pin set in the easterly street line of Elm Street;

174

175 Thence running S 80 degrees 51' 00" E 283.00 feet along land now or
176 formerly of Deakins and Beach and land formerly of American
177 Shakespeare Festival Theatre Association, now of the grantee herein,
178 each in part, to a point;

179

180 Thence running S 10 degrees 00' 00" W 325.00 feet along land formerly
181 of said American Shakespeare Festival Theatre Association, now of the
182 grantee herein, to a point;

183

184 Thence running N 80 degrees 51' 00" W 288.00 feet along land
185 formerly of said American Shakespeare Festival Theatre Association,
186 now of the grantee herein, and land now or formerly of Miller, each in
187 part, to a point;

188

189 Thence running N 10 degrees 00' 00" E 155.00 feet along Lot 5 as
190 shown on the map hereinafter referred to a point;

191

192 Thence running N 05 degrees 30' 37" W 20.05 feet along said Lot 5 to a
193 point in the street line of Rosemary Drive;

194

195 Thence running N 17 degrees 28' 22" W 50.51 feet along the Second
196 Parcel hereinafter described to a point;

197

198 Thence running N 10 degrees 00' 00" E 100.01 feet along Lot 2 as
199 shown on the map hereinafter referred to the point of beginning.

200

201 Said parcel contains 92,000 square feet, more or less, and is shown as
202 "Other land of C. Casserta" on a map entitled, "Subdivision of Bard's
203 Manor Elm Street Stratford Conn" dated August 8, 1977 prepared by
204 Codespoti & Associates, Joseph R. Codespoti, R.L.S. 8244.

205

206 THIRD PARCEL:

207 Being the second of two subject parcels in a warranty deed from
208 Thomas J. Rosati, Trustee to the State of Connecticut, dated June 9, 1988,
209 and recorded in Volume 697, Page 979 of the Stratford Land records, and
210 described in said deed as follows:

211

212 A small triangular-shaped parcel located to the east of the curve of the
213 turnaround of Rosemary Drive on the map hereinbefore mentioned, said
214 parcel being bounded and described as follows: Beginning at a
215 monument set in the northerly street line of Rosemary Drive;

216

217 Thence running easterly along a counterclockwise curve having a
218 radius of 1,032.62 feet a distance of 54.67 feet along Lot 2 as shown on the
219 map hereinbefore mentioned to a point at the First Parcel hereinbefore
220 described;

221

222 Thence running S 17 degrees-28'-22 W 50.51 feet 6 along said First
223 Parcel hereinbefore described to a point in the turnaround of Rosemary
224 Drive;

225

226 Thence running along the street line of Rosemary Drive following a
227 counterclockwise curve having a radius of 50.00 feet to the point of
228 beginning.

229

230 Together with the right to pass and repass for highway purposes over
231 the area designated on said map as Rosemary Drive.

232

233 FOURTH PARCEL:

234 Being the subject parcel in a quit claim deed from Citytrust to the State
235 of Connecticut, dated July 12, 1983, and recorded in Volume 715, Page
236 949 of the Stratford Land Records and described in said deed as follows:

237

238 All that certain piece or parcel of land with the buildings and other
239 improvements thereon, situated in the Town of Stratford, County of
240 Fairfield and State of Connecticut, bounded and described as follows:

241

242 NORTHERLY: by land now or formerly of Byron S. Romer;
243 EASTERLY: by the Housatonic River; SOUTHERLY: by land now or
244 formerly of William Forrest Davenport and Caroline Kirsten Davenport,
245 along the northerly wall of a brick boathouse; WESTERLY: by a highway

246 sometimes described as the upper highway or bank highway or Shore
247 Road, 56 feet.

248

249 The southerly line of the above described premises is substantially
250 parallel with the northerly line and 56 feet distant therefrom.

251

252 The property described above shall include the property described in
253 a topographical survey for the state of Connecticut of the American
254 Festival Theatre at Stratford by the Huntington Company, dated January
255 31, 1989.

256 (c) The [person to whom said parcels are conveyed] Stratford Festival
257 Theater, Inc. shall agree to renovate the current theater located thereon
258 and to operate it as a theater, which shall be known as the
259 Connecticut-Stratford Shakespeare Festival Theater, for live, theatrical
260 performances. [, including not less than one annual performance of a
261 play by William Shakespeare, for a period of not less than twenty years
262 from the date of the first performance. Such person] The Stratford
263 Festival Theater, Inc. shall further agree that (1) [he] it shall, within four
264 months of the date of conveyance of said parcels, present to the
265 commissioner a plan of development for the theater and the parcels for
266 [his] the commissioner's approval, (2) the commissioner shall have two
267 months to approve or disapprove such plan, provided, if the
268 commissioner does not act, such plan shall be deemed to be approved,
269 and provided further, if the commissioner disapproves the plan, it may
270 be resubmitted, but such disapproval and resubmittal shall not extend
271 the other time limits set forth in this subsection, (3) [he] the Stratford
272 Festival Theater, Inc. shall, within one year of the date of conveyance of
273 said parcels, present to the commissioner construction documents
274 consisting of design drawings and specifications for the development of
275 the theater and the parcels for [his] the commissioner's approval,

276 provided such drawings and specifications shall also be under the
277 jurisdiction of the local building official, (4) the commissioner shall have
278 two months to approve or disapprove such documents, provided, if the
279 commissioner does not act, such documents shall be deemed to be
280 approved, and provided further, if the commissioner disapproves such
281 documents, they may be resubmitted, but such disapproval and
282 resubmittal shall not extend the other time limits set forth in this
283 subsection, (5) [he] the Stratford Festival Theater, Inc. shall reopen the
284 theater, within three years of the date of conveyance of said parcels or
285 within two years of the conclusion of any lawsuit relating to said parcels
286 which prohibits or substantially inhibits development of said parcels,
287 whichever is later. Approval by the commissioner pursuant to
288 subdivision (2) or (4) of this subsection shall not be deemed to include
289 any federal, state or local approvals or permits necessary for the
290 construction or siting of facilities or for other regulated use of the
291 property. If said parcels are not, at any time, used for the purposes set
292 forth in this subsection and within the time periods set forth in this
293 subsection, they shall revert to the state of Connecticut. [and the
294 commissioner shall convey said parcels to the town of Stratford, for park
295 and recreational purposes only, subject to the approval of the State
296 Properties Review Board and at a cost equal to the administrative costs
297 of making such conveyance. If said parcels are conveyed to the town and
298 at any time are not used for such purposes, they shall revert to the state
299 of Connecticut. Payments made to the commissioner prior to any
300 reversion of said parcels shall be retained by the state.]

301 (d) The State Properties Review Board shall complete its review of the
302 conveyance of said parcels of land not later than thirty days after it
303 receives a proposed agreement from the department of environmental
304 protection. The state treasurer shall execute and deliver any deed or
305 instrument necessary for a conveyance under this section, which deed or
306 instrument shall include provisions to carry out the purposes of
307 subsection (c) of this section, and the commissioner of environmental
308 protection shall have the sole responsibility for all other incidents of such

309 conveyance.

310 [(e) The proceeds from the conveyance of said parcels shall be used by
311 the commissioner to effect the purposes of the Connecticut recreation
312 and natural heritage trust program created by chapter 453 of the general
313 statutes.]

314 Sec. 3. Subsection (a) of section 4b-41 of the general statutes is
315 repealed and the following is substituted in lieu thereof:

316 (a) The Commissioner of Public Works, subject to the approval of
317 the Secretary of the Office of Policy and Management and the State
318 Properties Review Board, may enter into a lease-purchase agreement
319 and agreements related thereto, for the development of a courthouse
320 facility in the town of Vernon. The commissioner, subject to the
321 approval of the State Properties Review Board, may enter into
322 agreements with adjacent property owners for easements in, over and
323 under the land on which the courthouse facility is developed.

324 Sec. 4. Section 1 of special act 90-37 is amended to read as follows:

325 (a) Notwithstanding any provision of the general statutes to the
326 contrary, the commissioner of transportation shall convey to the town
327 and city of Hartford, subject to the approval of the state properties
328 review board and at a cost equal to the administrative costs of making
329 such conveyance, a parcel of land located in the town and city of
330 Hartford and having an area of approximately 2.5 acres. Said parcel is
331 bounded on the north by Farmington Avenue, a distance of 410 feet
332 more or less; on the east and south by Interstate Route 84, a total distance
333 of 646 feet more or less; and on the west by Broad Street, a distance of
334 370 feet more or less; in part by each.

335 (b) The town and city of Hartford shall use said parcel of land for [the
336 construction of a new combined fire and police department
337 headquarters] economic development purposes. If said parcel is not used

338 for said purpose, it shall revert to the state of Connecticut. If the town
339 and city of Hartford sells said parcel of land for economic development
340 purposes, the town and city of Hartford shall pay the proceeds from the
341 sale to the State Treasurer who shall deposit said proceeds in the Special
342 Transportation Fund established in section 13b-68 of the general statutes.

343 (c) The state properties review board shall complete its review of the
344 conveyance of said parcel of land not later than thirty days after it
345 receives a proposed agreement from the department of transportation.
346 The land shall remain under the care and control of said department
347 until a conveyance is made in accordance with the provisions of this
348 section. The state treasurer shall execute and deliver any deed or
349 instrument necessary for a conveyance under this section and the
350 commissioner of transportation shall have the sole responsibility for all
351 other incidents of such conveyance.

352 Sec. 5. Section 12 of public act 98-255 is amended to read as follows:

353 The town of Avon may use [for purposes of constructing and
354 operating public schools or other public educational facilities] the five
355 parcels of land acquired pursuant to a judgment in accordance with the
356 provisions of number 232 of the special acts of 1963 and identified in the
357 judgment filed in the Avon Town Clerk's Office on June 26, 1964. The
358 town of Avon may exchange said parcels of land or any part of said
359 parcels for other parcels of land of comparable value to said town, [,
360 provided the town shall use said other parcels for the purposes of
361 recreation and conservation or constructing and operating public schools
362 or other educational facilities.]

363 Sec. 6. (a) Notwithstanding any provision of the general statutes to
364 the contrary, the Commissioner of Transportation shall convey to the
365 city of Norwalk a parcel of land located in the city of Norwalk, at a cost
366 equal to the administrative costs of making such conveyance. Said
367 parcel of land has an area of approximately 7.8 acres and is identified
368 as Lots 18, 19 and 20 on Block 19 of city of Norwalk Tax Assessor's

369 Map 15 NE. The conveyance agreement shall include a provision that
370 the city of Norwalk accepts the property in its current condition. The
371 conveyance shall be subject to the approval of the State Properties
372 Review Board.

373 (b) The city of Norwalk shall use said parcel of land for urban
374 renewal, economic development and housing purposes. If the city of
375 Norwalk:

- 376 (1) Does not use said parcel for any of said purposes;
377 (2) Does not retain ownership of all of said parcel except for any
378 sale for any of said purposes; or
379 (3) Leases all or any portion of said parcel for any other purpose,
380 the parcel shall revert to the state of Connecticut.

381 (c) The State Properties Review Board shall complete its review of
382 the conveyance of said parcel of land not later than thirty days after it
383 receives a proposed agreement from the Department of
384 Transportation. The land shall remain under the care and control of
385 said department until a conveyance is made in accordance with the
386 provisions of this section. The State Treasurer shall execute and deliver
387 any deed or instrument necessary for a conveyance under this section,
388 which deed or instrument shall include provisions to carry out the
389 purposes of subsection (b) of this section. The Commissioner of
390 Transportation shall have the sole responsibility for all other incidents
391 of such conveyance.

392 Sec. 7. Notwithstanding any provision of the general statutes, the
393 Commissioner of Mental Health and Addiction Services shall transfer
394 custody and control of a parcel of land located in the town of Preston
395 to the Commissioner of Environmental Protection. Said parcel of land
396 has an area of approximately 53 acres and is identified as the portion of
397 Lot 19 on town of Preston Tax Assessor's Map 23 which is owned by
398 the state of Connecticut. The Commissioner of Environmental

399 Protection shall establish a five hundred foot "no hunting" zone along
400 the western boundary of said parcel of land adjacent to municipal
401 land. The transfer shall be subject to the approval of the State
402 Properties Review Board.

403 Sec. 8. (a) Notwithstanding any provision of the general statutes, the
404 Commissioner of Mental Health and Addiction Services shall convey
405 to the town of Newtown a parcel of land located in the town of
406 Newtown, at a cost equal to the administrative costs of making such
407 conveyance. Said parcel of land has an area of approximately 3.6 acres
408 and is identified as the parcel of land that is bordered on the north by
409 property of Mary Coons at 5 Oakview Road, on the east by Oakview
410 Road, on the south by Wasserman Way, and on the west by property
411 of the Potatuck Land Company. The conveyance shall be subject to the
412 approval of the State Properties Review Board.

413 (b) The town of Newtown shall use said parcel of land for
414 recreational purposes. If the town of Newtown:

- 415 (1) Does not use said parcel for said purposes;
416 (2) Does not retain ownership of all of said parcel; or
417 (3) Leases all or any portion of said parcel,

418 the parcel shall revert to the state of Connecticut.

419 (c) The State Properties Review Board shall complete its review of
420 the conveyance of said parcel of land not later than thirty days after it
421 receives a proposed agreement from the Department of Mental Health
422 and Addiction Services. The land shall remain under the care and
423 control of said department until a conveyance is made in accordance
424 with the provisions of this section. The State Treasurer shall execute
425 and deliver any deed or instrument necessary for a conveyance under
426 this section, which deed or instrument shall include provisions to carry
427 out the purposes of subsection (b) of this section. The Commissioner of
428 Mental Health and Addiction Services shall have the sole

429 responsibility for all other incidents of such conveyance.

430 Sec. 9. (a) Notwithstanding any provision of the general statutes, the
431 Commissioner of Agriculture shall convey the Noank Aquaculture-
432 Marine Laboratory, and the parcel of land on which it is located, to the
433 town of Groton, at a cost equal to the administrative costs of making
434 such conveyance. Said parcel of land has an area of approximately 0.97
435 acre and is further identified as the same premises described in a deed
436 from Edward E. Chapin to the state of Connecticut, dated May 23,
437 1962, and recorded in the town of Groton land records at Volume 195,
438 Pages 430 and 431. The conveyance shall be subject to the approval of
439 the State Properties Review Board.

440 (b) The town of Groton shall make a portion of said laboratory and
441 parcel of land available to the town of Groton Shellfish Commission
442 for aquaculture purposes and shall use the remainder of said parcel of
443 land for municipal purposes. If the town of Groton:

- 444 (1) Does not use said parcel for said purposes;
445 (2) Does not retain ownership of all of said parcel; or
446 (3) Leases all or any portion of said parcel for any other purposes,

447 the parcel shall revert to the state of Connecticut.

448 (c) The State Properties Review Board shall complete its review of
449 the conveyance of said parcel of land not later than thirty days after it
450 receives a proposed agreement from the Department of Agriculture.
451 The land shall remain under the care and control of said department
452 until a conveyance is made in accordance with the provisions of this
453 section. The State Treasurer shall execute and deliver any deed or
454 instrument necessary for a conveyance under this section, which deed
455 or instrument shall include provisions to carry out the purposes of
456 subsection (b) of this section. The Commissioner of Agriculture shall
457 have the sole responsibility for all other incidents of such conveyance.

458 Sec. 10. (a) Notwithstanding any provision of the general statutes,
459 the Commissioner of Mental Retardation shall convey to the
460 Pomperaug Regional School District 15 a parcel of land located in the
461 town of Southbury, at a cost equal to the administrative costs of
462 making such conveyance. Said parcel of land has an area of
463 approximately 219.58 acres and is identified as Lot 15 in Block 76 on
464 town of Southbury Tax Assessor's Map 16. The conveyance shall be
465 subject to the approval of the State Properties Review Board.

466 (b) The town of Southbury shall use said parcel of land for
467 educational purposes. If the town of Southbury:

- 468 (1) Does not use said parcel for said purposes;
469 (2) Does not retain ownership of all of said parcel; or
470 (3) Leases all or any portion of said parcel,

471 the parcel shall revert to the state of Connecticut.

472 (c) The State Properties Review Board shall complete its review of
473 the conveyance of said parcel of land not later than thirty days after it
474 receives a proposed agreement from the Department of Mental
475 Retardation. The land shall remain under the care and control of said
476 department until a conveyance is made in accordance with the
477 provisions of this section. The State Treasurer shall execute and deliver
478 any deed or instrument necessary for a conveyance under this section,
479 which deed or instrument shall include provisions to carry out the
480 purposes of subsection (b) of this section. The Commissioner of Mental
481 Retardation shall have the sole responsibility for all other incidents of
482 such conveyance.

483 Sec. 11. (a) Notwithstanding any provision of the general statutes,
484 the Commissioner of Mental Retardation shall convey to the town of
485 Southbury a parcel of land located in the town of Southbury, at a cost
486 equal to the administrative costs of making such conveyance. Said
487 parcel of land has an area of approximately 199.93 acres and is

488 identified as Lot 5 in Block 89 on town of Southbury Tax Assessor's
489 Map 6. The conveyance shall be subject to the approval of the State
490 Properties Review Board.

491 (b) The town of Southbury shall use said parcel of land for
492 recreational, open space and municipal purposes. If the town of
493 Southbury:

- 494 (1) Does not use said parcel for said purposes;
495 (2) Does not retain ownership of all of said parcel; or
496 (3) Leases all or any portion of said parcel,

497 the parcel shall revert to the state of Connecticut.

498 (c) The State Properties Review Board shall complete its review of
499 the conveyance of said parcel of land not later than thirty days after it
500 receives a proposed agreement from the Department of Mental
501 Retardation. The land shall remain under the care and control of said
502 department until a conveyance is made in accordance with the
503 provisions of this section. The State Treasurer shall execute and deliver
504 any deed or instrument necessary for a conveyance under this section,
505 which deed or instrument shall include provisions to carry out the
506 purposes of subsection (b) of this section. The Commissioner of Mental
507 Retardation shall have the sole responsibility for all other incidents of
508 such conveyance.

509 Sec. 12. (a) The state of Connecticut shall waive any claim, pursuant
510 to the public trust doctrine, to title acquired through a federal
511 condemnation to the tract or parcel of land now or formerly within the
512 Stratford Army Engine Plant, which has an area of approximately
513 11.505 acres and is bounded and described as follows:

514

515 All that tract or parcel of land situated in the Town of Stratford,
516 County of Fairfield, State of Connecticut and more particularly

517 described as follows:

518

519 Commencing at a point in the intersection of the westerly line of
520 Sniffens Lane and the northerly line of Main Street;

521

522 Thence N 49 degrees 49' 38" E along the westerly line of Sniffens
523 Lane a distance of 1,358.07 feet to an angle point in the westerly line of
524 Sniffens Lane;

525

526 Thence S 88 degrees 13' 42" E along the northwesterly line of
527 Sniffens Lane a distance of 393.50 feet to the southeasterly corner of
528 lands conveyed to the United States of America by deed recorded in
529 Volume 340 at Page 122;

530

531 Thence N 00 degrees 16' 17" E along the northeasterly line of said
532 lands conveyed to the United States of America a distance of 188 feet to
533 the Mean High Water Line of the Housatonic River as it existed in June
534 1943;

535

536

537 Thence continuing N 00 degrees 16' 17" E a distance of 44.60 feet to
538 the Mean High Water Line of the Housatonic River as it existed in
539 March 1999 and the True Point of Beginning,

540

541 Thence along the Mean High Water Line as it existed in March 1999

542 and as defined on a "Limited Dependent Resurvey" prepared for the
543 Department of the Army, New York District Corps of Engineers by
544 TVGA Engineering, Surveying, P.C., Project No. 990009-03 on March
545 31, 1999, a distance of 4,430 feet, to a point, said point being N 74
546 degrees 13' 49" E measured a distance of 619.32 feet from a point on the
547 division line between the property now or formerly of AVCO
548 Corporation by deed recorded in Volume 546 at Page 447 on the west
549 and the property of the United States of America by deed recorded in
550 Volume 248 at Page 99 on the east at its intersection with the north line
551 of Main Street;

552

553 Thence along the Edge of Fill as it existed in July 1943 and as
554 defined on said "Limited Dependent Resurvey" a distance of 2,593 feet,
555 said Edge of Fill line being further approximated and defined by the
556 following courses and distances:

557

- 558 1. S 36 degrees 58' 26" W a distance of 85.95 feet;
- 559 2. S 22 degrees 04' 38" E a distance of 31.87 feet;
- 560 3. S 34 degrees 39' 42" E a distance of 44.83 feet;
- 561 4. S 54 degrees 57' 30" E a distance of 107.06 feet;
- 562 5. S 47 degrees 56' 36" E a distance of 177.90 feet;
- 563 6. S 36 degrees 35' 11" E a distance of 77.76 feet;
- 564 7. S 42 degrees 00' 30" E a distance of 88.99 feet;
- 565 8. S 55 degrees 40' 29" E a distance of 117.45 feet;
- 566 9. S 72 degrees 47' 00" E a distance of 134.20 feet;

- 567 10. S 78 degrees 58' 55" E a distance of 113.83 feet;
568 11. S 73 degrees 06' 35" E a distance of 59.51 feet;
569 12. S 61 degrees 05' 08" E a distance of 99.24 feet;
570 13. S 55 degrees 15' 10" E a distance of 127.75 feet;
571 14. S 80 degrees 40' 11" E a distance of 98.69 feet;
572 15. S 79 degrees 54' 03" E a distance of 133.05 feet;
573 16. S 71 degrees 25' 27" E a distance of 47.30 feet;
574 17. S 55 degrees 02' 53" E a distance of 194.78 feet;
575 18. N 78 degrees 38' 09" E a distance of 78.40 feet;
576 19. N 49 degrees 24' 41" E a distance of 62.51 feet;
577 20. N 55 degrees 40' 25" E a distance of 95.87 feet;
578 21. N 78 degrees 08' 24" E a distance of 169.21 feet;
579 22. N 82 degrees 26' 43" E a distance of 116.64 feet;
580 23. S 86 degrees 34' 52" E a distance of 75.86 feet;
581 24. S 78 degrees 29' 08" E a distance of 111.42 feet;
582 25. N 80 degrees 16' 08" E a distance of 72.11 feet; and
583 26. N 72 degrees 20' 29" E a distance of 85.65 feet;
584
585 to the True Point or Place of Beginning.

586

587 (b) The State Treasurer, in consultation with the Commissioner of
588 Environmental Protection, shall execute and deliver any instrument
589 needed to carry out the purposes of subsection (a) of this section.

590 Sec. 13. (a) Notwithstanding any provision of the general statutes,
591 the Commissioner of Environmental Protection shall convey to Mary
592 Ellen Pratt, Jennifer Daniell Pentrack, Helen McConnell Copeland,
593 Malcolm D. McConnell and Richard S. McConnell, at a cost of twenty-
594 two thousand five hundred dollars, the 0.741 acre parcel of land in the
595 town of Litchfield which is located on the easterly side of the land
596 owned by said individuals and the northerly side of Mt. Tom State
597 Park Road. The Commissioner of Environmental Protection shall
598 convey said parcel of land subject to the conditions that (1) the state of
599 Connecticut shall retain all development rights to the parcel, and (2) no
600 structures of any kind may be placed on the parcel by said individuals
601 or their heirs, successors or assigns. The conveyance shall be subject to
602 the approval of the State Properties Review Board.

603 (b) The State Properties Review Board shall complete its review of
604 the conveyance of said parcel of land not later than thirty days after it
605 receives a proposed agreement from the Department of Environmental
606 Protection. The land shall remain under the care and control of said
607 department until a conveyance is made in accordance with the
608 provisions of this section. The State Treasurer shall execute and deliver
609 any deed or instrument necessary for a conveyance under this section.
610 The Commissioner of Environmental Protection shall have the sole
611 responsibility for all other incidents of such conveyance.

612 Sec. 14. (a) Notwithstanding any provision of the general statutes,
613 the Commissioner of Transportation shall convey to the town of
614 Wethersfield a parcel of land located in the town of Wethersfield, at a
615 cost equal to the administrative costs of making such conveyance. Said
616 parcel of land has an area of approximately 35.8 acres and is identified
617 as the parcel of land located on the southeasterly side of present Two

618 Rod Highway and the westerly side of present Highland Street. The
619 conveyance shall be subject to the approval of the State Properties
620 Review Board.

621 (b) The town of Wethersfield shall use said parcel of land for open
622 space and passive recreational purposes. If the town of Wethersfield:

- 623 (1) Does not use said parcel for said purposes;
624 (2) Does not retain ownership of all of said parcel; or
625 (3) Leases all or any portion of said parcel,

626 the parcel shall revert to the state of Connecticut.

627 (c) The State Properties Review Board shall complete its review of
628 the conveyance of said parcel of land not later than thirty days after it
629 receives a proposed agreement from the Department of
630 Transportation. The land shall remain under the care and control of
631 said department until a conveyance is made in accordance with the
632 provisions of this section. The State Treasurer shall execute and deliver
633 any deed or instrument necessary for a conveyance under this section,
634 which deed or instrument shall include provisions to carry out the
635 purposes of subsection (b) of this section. The Commissioner of
636 Transportation shall have the sole responsibility for all other incidents
637 of such conveyance.

638 Sec. 15. (a) Notwithstanding any provision of the general statutes,
639 the Commissioner of Transportation shall convey to the town of
640 Newington the following four parcels of land located in the town of
641 Newington, at a cost equal to the administrative costs of making such
642 conveyance: (1) Parcel no. 1, having an area of approximately 8.23
643 acres and located on the westerly side of present Main Street (Conn.
644 Route 176); (2) parcel no. 2, having an area of approximately 9.08 acres
645 and located on the easterly side of present Willard Avenue (Conn.
646 Route 173); (3) parcel no. 3, having an area of approximately 40.3 acres

647 and located on the westerly side of present Willard Avenue (Conn.
648 Route 173) and the easterly side of present Maple Hill Avenue; and (4)
649 parcel no. 4, having an area of approximately 16.3 acres and located on
650 the westerly side of present Maple Hill Avenue. The conveyance shall
651 be subject to the approval of the State Properties Review Board.

652 (b) The town of Newington shall use said parcels of land for open
653 space and passive recreational purposes. If the town of Newington:

- 654 (1) Does not use any said parcel for said purposes;
655 (2) Does not retain ownership of all of any said parcel; or
656 (3) Leases all or any portion of any said parcel,

657 the parcel shall revert to the state of Connecticut.

658 (c) The State Properties Review Board shall complete its review of
659 the conveyance of said parcels of land not later than thirty days after it
660 receives a proposed agreement from the Department of
661 Transportation. The land shall remain under the care and control of
662 said department until a conveyance is made in accordance with the
663 provisions of this section. The State Treasurer shall execute and deliver
664 any deed or instrument necessary for a conveyance under this section,
665 which deed or instrument shall include provisions to carry out the
666 purposes of subsection (b) of this section. The Commissioner of
667 Transportation shall have the sole responsibility for all other incidents
668 of such conveyance.

669 Sec. 16. This act shall take effect from its passage.

GAE Committee Vote: Yea 21 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Loss of Asset Value, Revenue Loss, Minimal Costs and Minimal Savings

Affected Agencies: State Properties Review Board, State Treasurer, Department of Public Works, Department of Transportation, Various State Agencies

Municipal Impact: Gain of Asset Value, Minimal Revenue Gain

Explanation**State Impact:**

The passage of this bill would result in a loss of asset value, a revenue loss, minimal costs and minimal savings to the state. It would also result in a potential revenue gain to the Special Transportation Fund. The passage of the bill would result in a gain of asset value, minimal revenue loss and in potential revenue gain to various municipalities.

The bill conveys several parcels of state-owned land and buildings to various municipalities at a cost equal to the administrative cost of making the conveyance. The cost of each conveyance is estimated to be less than \$1,000. Most properties must be used for specified public purposes or they shall revert to the state. This results in a loss of asset value to the state and a corresponding gain of asset value for various municipalities. It also represents a revenue loss to the state to the

extent that the state would have sold properties at fair market value. In particular, the property to be conveyed in Section 2 of the bill has already been sold for \$1.5 million and most, if not all of this revenue would be lost.

The State Properties Review Board (SPRB) is required to review each conveyance within 30 days. The SPRB can accomplish these reviews with existing staff and within available resources. The State Treasurer is required to carry out the conveyances. The Treasurer's Office estimates that its total costs under the bill would be less than \$10,000.

The transfer of these state properties would result in a reduction in the state's Payments-in-Lieu-of-Taxes (PILOT) to municipalities. The reduction is anticipated to be minimal. This also results in a corresponding minimal revenue loss to municipalities. The revenue loss would be offset for those properties that are used for economic development purposes and for those that become fully taxable.

The bill also makes minor adjustments in the conditions of several prior land conveyances. These changes have no fiscal impact. The sections of the bill and their fiscal impact are described below.

Section 1 changes the organization that was conveyed state land in the town of Old Saybrook in 1994, from Tradewinds Education Network, Inc. to Maritime Education Network, Inc. The State Properties Review Board disapproved the original conveyance. The approximate value of the property and buildings is \$277,000. This has no fiscal impact.

Section 2 changes the terms of a conveyance of state land in the town of Stratford made in 1995 (the Shakespeare Theater). The bill requires the conveyance of the property to the Stratford Festival Theater, Inc. at a cost equal to the administrative costs of making the conveyance. The existing law allows the commissioner of the

Department of Environmental Protection (DEP) to convey the property to any person meeting specified requirements, and at such a cost, as the commissioner deems appropriate. DEP has already sold the property to the Stratford Festival Theater, Inc. for \$1.5 million and has been paid \$50,000. Therefore, this would result in a revenue loss of at least \$1.45 million.

Section 3 allows the Commissioner of the Department of Public Works to enter into easement agreements with adjacent property owners for a courthouse facility in the town of Vernon. This has no fiscal impact.

Section 4 changes the terms of a conveyance of state land made to the city of Hartford in 1990. The bill requires the 2.5-acre parcel to be used for economic development purposes rather than for the construction of a new combined fire and police department headquarters. It must be used for economic development purposes or it shall revert to the state. If the property is sold for economic development purposes then the proceeds must be deposited to the Special Transportation Fund. This results in a potential revenue gain to the Special Transportation Fund.

Section 5 eliminates the use restrictions placed on five parcels of land in the town of Avon in 1998. The existing law requires that the town use it for purposes of constructing and operating public schools or other public educational facilities.

Section 6 conveys a 7.8-acre parcel of state land from the Department of Transportation to the city of Norwalk, at a cost equal to the administrative costs of making the conveyance. The land must be used for urban renewal, economic development and housing purposes or it shall revert to the state. The estimated value of the property is from \$2 million to \$4 million.

Section 7 transfers the care and control of a 53-acre parcel of state

land in the town of Preston from the Department of Mental Health and Addiction Services (DMHAS) to the Department of Environmental Protection. The estimated value of the property is \$69,500. The bill also requires the commissioner of DEP to establish a 500-foot “no hunting” zone along the western boundary. This property has already been declared surplus by DMHAS and has been turned over to the Department of Administrative Services for disposition.

Section 8 conveys a 3.6-acre parcel of state land from DMHAS to the town of Newtown, at a cost equal to the administrative cost of making the conveyance. The land must be used for recreational purposes or it shall revert to the state. This property has already been declared surplus by DMHAS and has been turned over to the Department of Administrative Services for disposition.

Section 9 conveys the Noank Aquaculture-Marine Laboratory and the 0.97-acre parcel of state land it is located on to the town of Groton, at a cost equal to the administrative cost of making the conveyance. The town of Groton must make a portion of the lab and land available to the town of Groton Shellfish Commission for aquaculture purposes and use the remainder of the land for municipal purposes or it shall revert to the state. It should be noted that \$250,000 in state bond funds were provided in 1999 for renovations to the laboratory.

Section 10 conveys a 219.58-acre parcel of state land in the town of Southbury from the Department of Mental Retardation (DMR) to the Pomperaug Regional School District 15, at a cost equal to the administrative cost of making the conveyance. The land must be used for educational purposes or it shall revert to the state. Section 11 conveys a 199.93-acre parcel of state land from DMR to the town of Southbury, at a cost equal to the administrative cost of making the conveyance. The estimated value of the property is \$600,000. The land must be used for recreational, open space and municipal purposes or it shall revert to the state.

This would result in significant impact to DMR and the Southbury Training School (STS). The department has physical property on lot 15 and 5, as referred to in sections 10 and 11 of the bill, which the operations of STS depend on. Currently, there are 687 clients residing at STS. There is over \$12 million in physical plant assets that is operational on lot 15 and includes the power plant that heats the entire STS campus (provides 45% of electricity and 100% of the steam and hot water), a building that serves day programs for residents, maintenance buildings that support the grounds operation, the Superintendent's house, and cottages (group homes) that house clients. The department leases 50 acres of lot 5 to Digrazia Vineyard, for an operational vineyard and orchard. The lease does not expire until 2002 and includes a five-year renewal option.

Section 12 waives any claim the state of Connecticut might have to the ownership of an 11.505-acre parcel of land in the town of Stratford.

Section 13 conveys a 0.741-acre parcel of state land in the town of Litchfield from the Department of Environmental Protection to five specified individuals, at a cost of \$22,500. The bill specifies that the state shall retain all development rights to the parcel and prohibits the construction of any structure on the site.

Section 14 conveys a 35.8-acre parcel of state land from the Department of Transportation to the town of Wethersfield, at a cost equal to the administrative cost of making the conveyance. The land must be used for open space and passive recreational purposes or it shall revert to the state. The estimated value of the property is \$250,000.

Section 15 conveys four parcels of state land (totaling about 73.91 acres) from the Department of Transportation to the town of Newington, at a cost equal to the administrative cost of making the conveyance. The land must be used for open space and passive recreational purposes or it shall revert to the state. The estimated

value of the property is \$945,000.

OLR Bill Analysis

sHB 5892

AN ACT CONCERNING THE CONVEYANCE OF CERTAIN PARCELS OF STATE LAND.**SUMMARY:**

This bill revises existing provisions and conditions on state property conveyances in Stratford, Old Saybrook, Vernon, Hartford, and Avon. It authorizes new conveyances in Groton, Norwalk, Newtown, Southbury, Wethersfield, Newington, and Litchfield. Each of the new conveyances to a municipality is subject to the State Properties Review Board's (SPRB) approval and at a cost equal to the administrative cost of the conveyance. The property reverts back to the state if the town uses the parcel for any purpose other than that specified in the bill.

Under the bill, the state waives any title claim it may have on the Stratford Army Engine Plant.

EFFECTIVE DATE: Upon passage

CONVEYANCE REVISIONS***Connecticut-Stratford Shakespeare Theater***

The bill requires the Department of Environmental Protection (DEP) to convey the Shakespeare Theater to the Stratford Festival Theater, Inc., rather than to an unspecified applicant. It names Stratford Festival Theater Inc. as the party responsible for renovating and operating the theater. It sets the administrative costs of the conveyance as the price.

It deletes the provision of earlier conveyance legislation (PA 95-127, as amended by SA 98-1) that requires the DEP commissioner to use the proceeds from the conveyance for the purposes of the Connecticut Recreation and Natural Heritage Trust Program. It also removes a provision requiring conveyance to the town of Stratford in the event

that the property reverts to the state. It deletes the requirement that the theater annually present at least one Shakespearian performance for the next 20 years.

Old Saybrook

The bill makes the Maritime Education Network Inc., rather than the Tradewinds Education Network, Inc., the recipient of a Department of Transportation (DOT) conveyance in Old Saybrook that was authorized in 1994. The bill changes the use of the parcel from a marine and maritime school to programs in marine and maritime education.

Vernon Courthouse

The bill adds to the authorization in current law allowing the Department of Public Works commissioner to enter a lease-purchase agreement for development of a courthouse in Vernon the authority to enter into easement agreements with owners of property adjacent to the courthouse land. The authority is subject to SPRB approval.

Hartford

The bill changes the permitted use of a parcel conveyed to Hartford from a new fire and police department headquarters to economic development purposes. In the event Hartford sells the property, the sales proceeds go to the Special Transportation Fund.

Avon

The bill removes the restrictions on property in the town of Avon that currently (1) may be used for educational purposes or (2) exchanged for other parcels that must be used for recreation and conservation or schools.

NEW CONVEYANCES

The bill requires the commissioner of the agriculture department to convey the Noank Aquaculture-Marine Laboratory and its land (0.97 acres) to the town of Groton, subject to SPRB approval, for its

administrative costs. The town must make part of the lab and land available to its Shellfish Commission for aquaculture purposes and use the rest for municipal purposes. If it does not, the property reverts to the state.

The bill requires the following conveyances from the agencies to the towns named for the purpose specified:

1. from DOT to Norwalk (if the city agrees to accept it as is) for urban renewal, economic development, and housing (7.8 acres);
2. from the Department of Mental Health and Addiction Services to Newtown for recreational purposes (3.6 acres);
3. from the Department of Mental Retardation (DMR) to the Pomperaug Regional School District 15 property in Southbury for educational purposes (Southbury, rather than the school district, has the responsibility for assuring the specified use of the land) (219.58 acres);
4. from DMR to Southbury for recreational, open space, and municipal purposes (199 .93 acres);
5. from DOT to Wethersfield for open space and passive recreation (35.8 acres); and
6. from DOT to Newington for open space and recreational purposes (four parcels totaling 73.9 acres).

The bill requires DEP to convey a 0.741 acre parcel of land in Litchfield to five named individuals who are to pay \$22,500 for it. The state maintains all development rights to the property and no structures of any kind are to be put on it. The conveyance is subject to SPRB approval.

INTRA-AGENCY TRANSFER

The bill requires DMHAS to transfer the custody and control of 53 acres in Preston to DEP. DEP must create a 500-foot “No Hunting” zone along the western edge of the property.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 21 Nay 0